

Minutes
Regular Monthly Village Board Meeting
Wednesday, April 13, 2016

Present: Mayor James Dunham

Trustees: Richard Philips
Dale Leiser
Robert Puckett
Robert Baumeister

Also attending: Glenn Smith; David Booth; Larry Eisen; Nick Eisen; Renee Shur; Brian Murphy; Liz Martin; Scott Holzhauser; Lee Norton; Francis Vecellio; Eric De Kraai; William Mancini; Jerry Callahan; Rima Bostick and Emelia Teasdale, The Columbia paper.

PUBLIC HEARING TENTATIVE 2016/2017 VILLAGE BUDGET

Mayor Dunham opened the public hearing on the tentative village budget at 7:30 pm.

He read the public notice for the tentative village budget for the 2016/2017 fiscal year published on April 3, 2016 in the Register Star.

Mayor Dunham noted the village met the required tax cap by the state.

Resident Rima Bostick was the only resident wishing to speak. She inquired why was the village board increasing salaries for the staff at a magnitude of 2-3% when her recent research is showing inflation, social security and pensions have not increased? She would like to know the basis for that.

Former village Trustee, Brian Murphy, stated CSEA and PEF gave 2% increases this year.

Trustee Phillips stated job performance and longevity was some factors considered for increases.

Rima asked what the logic behind the village board was by doing it that way. She feels it is a public hearing and she could ask why the village board chooses that way.

Trustee Leiser does not see what is wrong with a 2% raise. Rima does not think the board understands what she is asking. She wants to know the structural basis of why and how they choose to give raises.

Mayor Dunham stated the board looked at each individual and their performance.

Rima asked if any economic structure was used to determine the raises as she sees the village gave the same increase of raises the previous year.

Trustee Puckett stated they did consider economics, they reviewed what other villages were being paid but by the end of the day they choose to go by each individual. The village met the governor's tax cap showing economies were part of the decision and they may have chosen to reduce something else in the budget to allow the employees to have a raise.

Trustee Lieser asked Rima what she thought her basis of raise would be. She stated she works harder and more hours but that is not what she is asking of the board. She is seeing a pattern from the board. She wants to know if the village board planned on giving 2-3 % raise next fiscal year.

Rima: What factors is the village looking at when deciding on salaries? What is the logic of the village board or comparative data are they using? What criteria the village was using to decide on increases if the village board planned on giving a 2-3% raise each year. Is there some justification to pay the employees on any specific basis? Statistics and parameters used to determine salary basis.

Trustee Phillips stated the village reviewed New York Conference of Mayors salary data. They compared the salaries of employees with the villages of same size and positions. They also considered employees work performance and longevity.

Resident Francis Vecellio stated PCEF gave 4%-4.5% raises and believes the proposed village raises are definitely in line.

Mayor Dunham also noted the employees in neighboring villages are being paid at a higher rate especially in the case of the Village Clerk/Treasurer.

Mayor Dunham closed the public hearing at 7:41 pm.

MINUTES

Trustee Phillips made a motion approving the minutes of March 9, 2016 Regular monthly meeting; March 23rd Bid Opening of the Highway Garage and Waterline Protection Project; March 28th Budget meeting; March 30th Budget meeting and April 4., 2016 Organizational meeting; seconded by Trustee Baumeister. All voted “aye”.

BUDGET AMENDMENTS

Trustee Phillips made a motion approving the following budget amendments presented by the village Treasurer; seconded by Trustee Baumeister. All voted “aye”.

General Fund

FROM	TO	
AMOUNT		
A.1990.4 Contingent Account	A.1420.4 Law Contractual	\$1,878.26
A.1460.1 Records Management	A.1450.1 Elections Personal Service	10.00
A.1460.4 Records Management Contractual	A.1680.4 Central Data Processing	130.98
A.3410.4 Fire Department Contractual	A.3410.41 Fire Truck, Generator Repair	341.25
A.5132.4 Central Garage Contractual	A.5010.4 Street Administration Contractual	240.64
A.7140.41 Recreation Rec. Com	A.7140.4 Recreation Contractual	154.59
A5142.1 Snow Removal Personal Services	A.8560.1 Shade Trees Personal Service	
21.50		

Water Fund

FROM	TO	
AMOUNT		
F.8320.4 Source & Pumping Contractual	F.8340.4 Transmission Distribution Cont.	\$62.80

ABSTRACT

Trustee Phillips made a motion approving the monthly abstract in the amount of \$21,018.51; seconded by Trustee Baumeister. All voted “aye”.

TREASURER’S REPORT

Trustee Phillips made a motion approving the monthly treasurer’s report; seconded by Trustee Baumeister. All voted “aye”.

FIRE DEPARTMENT

The monthly fire report was received with 9 calls and 1 drill. The monthly officer's meeting minutes were received.

Sheriff David Bartlett and the Fire Company are offering to hold CPR/AED training for the village at the fire house on Monday, May 9th at 6:00 pm. The fire department will cover the costs. The village board would like the village staff be required to attend.

The village previously approved the purchase of one AED for the village hall. Approval of a 2nd AED for the DPW garage will be purchased out of this fiscal year's budget.

DPW

Salt-The village will be required to purchase 75% of the salt ordered on the state contract. Dave is hoping Morton salt would be able to stock pile for the village.

The flushing of hydrants is scheduled for April 19-21st. The bathrooms and concession stand are scheduled to be opened for the season. Repairs of the cracks on the tennis courts and basketball courts will be completed.

DPW Garage-Mayor Dunham and Trustee Phillips met with Gary Van Allen and Matt Sherman to discuss the bids received. The insurance company will cover \$357,451 of the construction of a new garage. One Way Construction's base bid of \$368,032; with the deduction of Alt #1 - \$5,751 (Install 4" slab vs 6" slab) and deduction of Alternate #2 -\$4,830 Remove 6 pipe bollard.

Mayor Dunham noted this project is classified as a SEQR Type II replacement in-kind. Trustee Leiser made a motion to accept the low bid of \$357,451 from One Way Construction when all required documentation is received (performance bond, worker's comp); seconded by Trustee Phillips. All voted "aye".

DPW – Resolution to Bond the purchase of a backhoe

Resolution by Mayor James Dunham; Seconded by Trustee Dale Leiser.

WHEREAS, the Board of Trustees of the Village, has determined to acquire certain equipment for the Village at a cost of approximately \$82,998.00; and

WHEREAS, the Board of Trustees has adopted a resolution to acquire a new Backhoe Milton Cat (the "Equipment") at an approximate cost of \$82,998.00; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the members of the Board of Trustees of the Village of Kinderhook, New York (by a favorable vote of not less than two-thirds of all of its members) as follows:

SECTION 1

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33A of the Consolidated Laws of the State of New York (the "Law"), the Village hereby reaffirms

its authorization of the acquisition of the Equipment, the maximum cost thereof being hereby estimated to be \$82,998.00, appropriating said amount therefor and authorizing the issuance of up to \$53,400.00 serial bonds or a statutory installment bond to finance a portion of such cost.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid Cat is fifteen (15) years pursuant to Section 11.00(a)(28) of the Law;

SECTION 3

The plan of financing includes the issuance of serial bonds or a statutory installment bond in the amount of up to \$53,400.00 (the "Indebtedness") and the levy of a tax upon all of the real property in the Village to pay the principal of and interest on said bonds as the same shall become due and owing, as well as the use of funds from insurance proceeds.

SECTION 4

The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific object or purpose described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Village intends to reimburse such funds with the proceeds of the Indebtedness authorized and identified pursuant to Section 1 above.

SECTION 5

The bonds issued to finance the cost of the object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 6

The Village hereby covenants and agrees with the holders from time to time of the Indebtedness of the Village issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, that the Village will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Village, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said Indebtedness from Federal income taxation.

SECTION 7

Any serial bonds or statutory installment bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 8

Subject to the provisions of this resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00, Section 60.00 and Section 62.10 of the Law, the powers and duties of the Board of Trustees relative to authorizing Indebtedness hereunder and prescribing the terms, form and content as to sale and issuance of said Indebtedness herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the Village, the Chief Fiscal Officer of the Village. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the Village, the Chief Fiscal Officer of said Village. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall privately negotiate or advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 9

All costs and expenses in connection with the acquisition and development of the object and purpose set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the Village, engineers and other professionals, shall be paid to the extent permitted by law from the proceeds of the Indebtedness.

SECTION 10

The validity of the bonds authorized by this resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Village is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 11

This resolution shall be published in full in the designated official newspapers of the Village for such purpose, together with a notice of the Clerk of the Board of Trustees in substantially the form provided in Section 81.00 of the Law.

SECTION 12

This resolution shall take effect immediately.

Ayes: Mayor, James Dunham;

Trustees: Richard Phillips; Dale Leiser; Robert Puckett and Robert Baumeister

Noes:

Absent:

Abstentions:

Motion Carried

Water Department-Trustee Leiser, Water Commissioner, had the village water tested for PFOA; the village will receive test results by the end of the month.

Waterline protection Project-The bid was awarded to Harkin Mechanical for \$28,000.00. The SEQR determination was made by Department of Conservation.

Mayor Dunham would like to send the Super indent and Asst to a pavement course at Columbia County Cooperative extension on May 10th. The pavement course is approximately four hours at a cost of \$50.00.

CODE ENFORCEMNTN OFFICER

The CEO/ZEO's monthly report was received with 8 permits issued and \$960.00 of fees collected.

3 Church Street-The sale of 3 Church Street is scheduled and the new owners will be proposing to tear the building down.

Intermunicipal Agreement with TOK for use of building department software- The software will be purchased by the Town of Kinderhook and will be used by the village to assist in keeping the property records updated for the assessor. Glenn would like the agreement to cover training of the software. Trustee Puckett made a motion to approve the intermunicipal with the Town of Kinderhook; seconded by Trustee Baumeister. All voted "aye".

Glenn would like the village board to consider waiving the fees for non for profit organizations in the village. The village board will consider and will discuss at the next board meeting.

NORTHERN COLUMBIA LITTLE LEAGUE-K-3 FIELD

Village resident Eric De Kraai is requesting the village board approve the request to change the k-3 field to a girls skinned softball field. He does not feel a skinned field would take away from baseball. He would like his girls to have the opportunity to play softball at the village park. He feels girls need the same opportunity as the boys.

Northern Columbia Little League president, Scott Holzhauer, sent a letter to the village board dated April 6, 2016. They are requesting a multi-purpose 60' field that can be used for baseball or softball with a portable pitcher's mound. Another option would be either a skinned infield or a grass infield. The cost is estimated at \$10,000 to be paid by NCLL. Little Leagues desire it to have baseball at Rothermel Park with three fields and to have softball at the town's Volunteer Park where they have two softball fields and envision a third field.

After much discussion of the aesthetically pleasing of a village park, distance of baseball mound compared to softball and a grass infield compared to skinned field or a skinned lane to the pitcher's mound.

Trustee Phillips made a motion to keep K-3 field a grass field with a portable pitching mound to be governed by NCLL; all plans to be submitted to the village board for final approval; seconded by Mayor Dunham. All voted: Trustees Phillips, Leiser, Baumeister and Mayor Dunham "aye" Trustee Puckett "nay".

GARBAGE BID

At the garbage bid opening on April 11, 2016 two bids were received; County Waste and Waste Management. Village Attorney Rob Fitzsimmons reviewed the bids and all required documentation was received.

Trustee Puckett made a motion to award County Waste the low bidder for (2), two year periods; seconded by Trustee Baumeister. All voted "aye".

VILLAGE LETTERHEAD-PROPOSED CHANGES

A proposal of adding the village logo and website to the village letterhead was discussed. Trustee Puckett requested viewing the logo on the top or the bottom of the letterhead before making a decision. Templates will be submitted for review before the next meeting.

TENTATIVE BUDGET FOR THE 2016/2017 FISCAL YEAR

The proposed tentative budget is at a tax rate of \$.00223039 per thousand assessed value; with \$318,305.00 to be raised by village taxes.

Trustee Puckett made a motion to adopt the tentative budget proposed for the 2016/2017 fiscal year; seconded by Trustee Baumeister. All voted "aye".

REQUEST FOR PROPSALS FOR TRAFFIC CALMING STUDY

Mayor Dunham would like to appoint a committee for the traffic calming study. The letter for proposals of engineers is being sent. He would like the committee to review the proposals with a recommendation to the village board.

CLIMATE SMART COMMUNITIES

Mayor Dunham and Brian Murphy attended a workshop on climate smart communities. Mayor Dunham gave the village Trustees documentation to review by the next village board meeting to adopt a resolution to become climate smart community.

INSURANCE

DPW cost from fire-

A list of items purchased and receipts was given to Matt Sherman for reimbursement. Mr. Sherman will review the list and notify the village clerk of any receipts needed in preparation of sending the village a reimbursement check.

SAFETY COMMITTEE

Gary Van Allen from Metz Wood will contact NYMIR and request a representative to conduct a class/training for the DPW on safety issues.

SURPLUS PROPERTY AUCTION

Trustee Phillips has gathered the information on each item to be sold from surplus equipment to be entered into the Auctions International website.

ZONING BOARD

Minutes of December 28, 2015 and February 22, 2016 were received.

An area use variance was requested by Mr. & Mrs. Spur for a non-permanent small structure to be placed in their side yard, the request was approved.

PLANNING BOARD

They approved a use variance for a new pizza place "Foccacia" to be opened by Paul Calcagno next to his Broad Street Bagel.

The board will hold a Public Hearing on the proposed Library addition on May 5, 2016.

COMPREHENSIVE PLAN UPDATE

The committee is preparing to submit an invoice of \$2,090.00 to the Hudson Valley Greenway Council for reimbursement of expenses to Nan Stolzenburgh.

HISTORIC PRESERVATION COMMISSION

Minutes of January 21, 2016 were received.

ECONOMIC DEVELOPMENT DIRECTOR

The monthly EDC report was received.

Renee would like the board to consider three things: 1. A facebook page for the village; she feels it would be very beneficial especially for the events in the village. 2. Renee would like to know when repairs are proposed for the 2nd floor work and when the work is scheduled to start. She would like to have the contest of naming of the 2nd fl of the village hall coincide with the project. 3. She would like the village board to consider allowing her to contact the local high school informing them the village office is open to a students required community service. This would be an unpaid internship program between the school and the village.

Certified Local Government Grant-Renee is requesting the village board considering applying for a small grant with the Certified Local Government Program for a lighting study to be conducted in the village Historic District. Mayor Dunham thanked Liz Martin for making the village aware of the grant and Renee for completing the grant process.

Trustee Phillips made the following Resolution; seconded by Trustee Baumeister. All voted "aye".

Be it resolved that the Village Board of Trustees supports the application for a sub-grant through the Certified Local Government program in the amount of \$3,500.00 to engage a lighting engineering consultant to prepare a study and assist in planning a program to improve pedestrian and vehicular lighting in the historic business district and throughout the Village of Kinderhook as outlined in the Project Description portion of the FY 2016 New York State Certified Local Government Sub-grant Application.

Should the sub-grant be awarded to the Village for the lighting study, the Board certifies matching funds in the amount of \$1,400.00 will be available from the Municipal Operating Budget and CLGF personnel payroll, and through donations of time by volunteers on the Historic Preservation Commission, the Village Historian, and a local historic preservation specialist as outlined on page 2 of the FY 2016 New York State Certified Local Government Sub-grant Application.

Kinderhook African –American Cemetery received its official designation of National Historic Places and is a National Historic site. The signage for the cemetery will be the next item to address. Ruth Piwonka and Warren Applegate have worked very hard for this.

VILLAGE HALL

Roof repair project, Mid State Industries Insurance claim - The replacement of 4 ft of insulation, repair of the bowing of the ceiling and the painting will be covered. MSI has offered to complete some of the work. Trustee Phillips requested Trustee Puckett contact Carl from MSI to schedule the repairs per the insurance claim submitted.

1st fl bathrooms of village hall-The architect, Wallace Design, is finishing the building specs for the construction of the first floor bathrooms to become ADA complaint.

Time Warner Right entry agreement for NYS Police fiber optics-Time Warner has requested the village sign a right of entry agreement allowing them to enter the village hall to give the state police cable services. Trustee Puckett will request the village attorney to review the agreement and ask Time Warner if the village chooses in the future to receive Time Warner cable.

Trustee Puckett made a motion to sign the right of entry agreement; seconded by Trustee Leiser. All voted “aye”.

SIDEWALK LINK PROJECT-TITLE VI

The village will need to adopt a policy by August 2, 2016, including appointing a Title VI coordinator. Mayor Dunham is working on the policy to be submitted to the village board for approval.

WASTEWATER COLLECTION

Clark Engineering is working on a solution to the defective meter at the pit. It is a problem with the meter or the meter is not the proper meter for that application. The village of Valatie has agreed to allow us to use the readings from each individual water meters to bill the sewer consumption for six months.

APPLICATIONS

Trustee Phillips made a motion to approve the following applications with guidelines to NCLL (added traffic control, no bounce and they contact Jack Shainman concerning parking at The School); seconded by Trustee Leiser. All voted “aye”.

- a. NCLL is requesting the village to approve a one way traffic pattern during opening day. The traffic will enter into the village park and exit Rothermel Ext. They would also like to request a bounce house during opening day.
- b. Kinderhook’s Runners club is requesting Village hall 2nd floor on 5/12 & 5/26; from 6:30-8:30pm.
- c. Columbia Clippers is requesting the use of K1 and K2 fields from April –November 2016

PEDDLER’S PERMIT

Trustee Phillips made a motion approving the peddler’s permit for Mr. Ding-A-Ling to sell ice cream throughout the village; seconded by Trustee Leiser. All voted “aye”.

RECREATION COMMISSION

Applications are being accepted for the Director, Asst. Director and councilors due by May 9th. The summer program will run from July 11-Aug 19.

TAYXPAYER TIME

The village received an email with an 107 page attachment from NYS DOT informing the village there will be a bike event from NY City to Montreal and then to Toronto and will be going thru the village sometime between June 10 and the 14th. It is the Dare Greatly Final Challenge.

Trustee Phillips requested the OK5K use the village dumpster after the race. He requested Renee inform the local restaurants be notified of the race with the amount of people that will be in attendance.

Trustee Baumeister inquired if the village would consider picking up brush and tree limbs throughout the year. Trustee Leiser stated he has researched this prior and it is very costly and the brush will be sitting along the road until the men were able to pick up. The Town of Kinderhook picks up one a week and it cost approximately \$100,000.

Village assessments and exemptions-Trustee Phillips and Nicole reviewed the assessment roll for the 2016/2017 fiscal year. Several assessments and exemptions were spot checked for accuracy. Trustee Phillips would like to inquire how the Certificate of Occupancy process works with Glenn and how they are submitted to the assessor's office for current assessments.

Payroll-Trustee Puckett would like to amend a previous motion from bi-monthly payroll to bi-weekly payroll; seconded by Trustee Baumeister. All voted "aye".

Rima Bostic-Three items to discuss 1. She would respectfully submit the board considers adding non-engineers on traffic claiming study committee. She feels average residents with traffic issues should be considered and she would volunteer on the committee herself. 2. She would like to clarify a previous statement she read in minutes that the village can accept a donation and give a letter for tax deduction for a charitable purchase. 3. She would like to know what the basis for determining the raises for the village employees. She feels the village board should look at the factor of resident's social security and what the economics of the village residents are before deciding on raises for the employees.

Mayor Dunham noted the village does think of economics of the village. The village has stayed with the required tax cap and 60% of the village board receives social security.

Renee reminded the village board of the speed sign that could be requested from the county for events in the village like NCLL opening day.

Brian Murphy requests the status of the cupola on the village hall. Were the village board's intentions to use the remainder bond money for repairs? Trustee Puckett would like to speak with the village DPW on what they feel they are able to do. He feels if he used the remainder money to complete the cupola there will be no funds left for the 2nd floor village hall repairs.

Trustee Puckett made a motion to adjourn; seconded by Trustee Phillips. All voted "aye".

Respectfully submitted,

Nicole H. Heeder
Village Clerk